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| EXAMINER |
|---|
| RODRIGUEZ, LENNIN R |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2625 | |

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| 08/04/2008 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| | Application No. | Applicant(s) |
| | 10/635,466 | WIECHERS, ALEJANDRO |
| **Office Action Summary** | Examiner | Art Unit |
| | LENNIN R. RODRIGUEZ | 2625 |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) ☒ Responsive to communication(s) filed on *30 April 2008*.
2a) ☒ This action is **FINAL**.　　　　2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) ☒ Claim(s) *7-12 and 15-20* is/are pending in the application.
　　4a) Of the above claim(s) *1,3-6 and 24-26* is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *7-12 and 15-20* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a) ☐ All　b) ☐ Some * c) ☐ None of:
　　　　1. ☐ Certified copies of the priority documents have been received.
　　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.
　　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date *2/13/2008*.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

## DETAILED ACTION

### *Election/Restrictions*

1.      Applicant's election without traverse of invention of Group II in the reply filed on

4/30/2008 is acknowledged.

### *Response to Arguments*

2.      Applicant's arguments with respect to claims 1-23 have been considered but are

moot in view of the new ground(s) of rejection.

3.      Provisional obvious typo double patenting rejection has been withdrawn in view

of the submitted claims.

4.      Objection to the abstract has been withdrawn.

5.      Claim rejection under 35 U.S.C. 101 has been withdrawn.

### *Claim Rejections - 35 USC § 103*

6.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.      Claims 7-12 and 15-20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kemp et al. (US 2002/0078160) in view of Laverty et al. (US

6,429,947).

(1) regarding claims 7 and 15:

Kemp '160 discloses a method of performing automated finishing in a commercial printing environment including a designer location and a print service provider location (Fig. 1 where the home client is the designer location), said method comprising:

creating at the designer location a print job to be printed by the print service provider location (paragraph [0035], is a clear suggestion that the user (designer location) creates a job and tries to send it to print at a remote service provider);

creating a job ticket at the designer location that specifies a finishing device of the print service provider to be used to finish said print job and that contains finishing instructions (paragraph [0069], lines 1-10, where a user at the designer location creates a job ticket that includes instructions to perform a printout);

an module at the designer location automatically establishing a link to the print service provider location (paragraph [0053], where there is connection being established with the service provider) and obtaining updated device configuration information from the print service provider location concerning the specified finishing device (paragraph [0070], where after receiving the job ticket the service provider will supply updated information to the designer location regarding to the ability to perform the finishing options);

said module automatically confirming that the specified finishing device can finish said print job according to said finishing instructions of said job ticket (paragraph [0070] and paragraph [0071], lines 7-18, where the user can confirm the order); and

generating a printed output of said print job (paragraph [0073]) and finishing said printed output with the specified finishing device at the print service provider location in accordance with said finishing instructions from said job ticket (paragraph [0085]-[0087], where the service provider provides the printout in accordance with all the instruction in the job ticket).

Kemp '160 discloses all the subject matter as described above except that the module is an automated preflight module;

creating a production ready file at the designer location that encapsulates said print job and said job ticket;

submitting said production ready file to the print service provider location via an electronic network;

However, Laverty '947 teaches that the module is an automated preflight module (column 45, lines 21-30, where it shows that a module could be a prepress module);

creating a production ready file at the designer location that encapsulates said print job and said job ticket (column 10, lines 50-61, where the print ready file is been created at he client's computer and all the information about the way the job should be created (job ticket) is included);

submitting said production ready file to the print service provider location via an electronic network (column 10, lines 58-61, where the order is sent to the printer as a press ready file and 406 in Fig. 4 is the network);

Having a system of Kemp '160 reference and then given the well-established teaching of Laverty '947 reference, it would have been obvious to one having ordinary

skill in the art at the time the invention was made to modify the automated finishing in a commercial printing environment system of Kemp '160 reference to include that the module is an automated preflight module; creating a production ready file at the designer location that encapsulates said print job and said job ticket; and submitting said production ready file to the print service provider location via an electronic network as taught by Laverty '947 because the present invention utilizes certain technology, along with an interface medium such as the Internet, to offer a fully automated, efficient and cost-effective solution for producing print jobs and the like (column 7, lines 13-16).

In reference to claim 15 Kemp '160 further discloses a program product (paragraph [0048], where the instructions necessary for implementing the invention can be implemented in software) for performing automated finishing in a commercial printing environment including a designer location and a print service provider location (Fig.1 and Fig. 5), said product comprising machine-readable program code (paragraph [0048]) for causing, when executed, a machine to perform the method steps.

(2) regarding claims 8 and 16:

Kemp '160 further discloses wherein after said step of submitting, said method further comprises a step of automatically verifying, at said print service provider location, that said print job will be produced at said print service provider location as designed at the designer location (paragraph [0084], lines 1-8, where the service provider makes sure the job is printed as designed by the user) and, if not, correcting said production ready file, including said finishing instructions of said job ticket, to

ensure production substantially as designed (paragraph [0084], lines 26-29, where if the job cannot be completed as designed the user has the option to make corrections).

(3) regarding claims 9 and 17:

Kemp '160 further discloses wherein said step of correcting further comprises automatically reading said finishing instructions (paragraph [0067] and paragraph [0068], where the designer location is the end user section and the instructions are being read by the print driver) and preparing appropriate corresponding instructions for the specified finishing device to be used at the print service provider location (paragraph [0067], where the user request (prepare) special request instructions (finishing instructions) to be used at the service provider location).

(4) regarding claims 10 and 18:

Kemp '160 further discloses wherein said step of correcting further comprises automatically adding finishing instructions for the specified finishing device to be used at the print service provider location to supplement said finishing instructions contained in said job ticket (paragraph [0084], lines 26-29, and paragraph [0085], lines 4-7, where the user re-submits a print job with new information is being interpreted as adding finishing instructions prepared at the designer location (client)).

(5) regarding claims 11 and 19:

Kemp '160 further discloses wherein said method further comprises automatically sending an indication of an operational status of the specified finishing device to a server computer at the print service provider location (paragraph [0041], lines 4-9, where the service provider makes a determination as to whether it can perform the

finishing request, thus suggesting that an indication of the finishing device operational status is being received).

(6) regarding claims 12 and 20:

Kemp '160 further discloses wherein said method further comprises automatically sending an indication of a job completion status of the specified finishing device to a server computer at the print service provider location (paragraph [0066]).


*Conclusion*

8.     Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action.    Accordingly, **THIS ACTION IS MADE FINAL**.    See MPEP § 706.07(a).    Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.    In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action.    In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LENNIN R. RODRIGUEZ whose telephone number is

(571)270-1678. The examiner can normally be reached on Monday - Thursday 7:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on (571) 272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/
Supervisory Patent Examiner, Art Unit 2625

/Lennin R Rodriguez/
Examiner, Art Unit 2625